



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention or design entitled SYSTEM AND METHOD FOR IMPORTING PERFORMANCE DATA INTO A PERFORMANCE EVALUATION SYSTEM the specification of which was filed July 1, 1998, as Application Serial No.09/110,103; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Number</u>  | <u>Country</u> | <u>Date<br/>Filed</u> | <u>Priority<br/>Claimed<br/>(Yes) (No)</u> |
|----------------|----------------|-----------------------|--|
| -----NONE----- |                |                       |  |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as

defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| <u>Application<br/>Serial Number</u> | <u>Date Filed</u> | <u>Status</u> |
|--------------------------------------|-------------------|---------------|
| -----NONE-----                       |                   |               |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/084,794  
(Application No.)

May 8, 1998  
(Filing Date)

I hereby appoint:

|                           |                 |
|---------------------------|-----------------|
| Jerry W. Mills            | Reg. No. 23,005 |
| Robert M. Chiaviello, Jr. | Reg. No. 32,461 |
| Ann C. Livingston         | Reg. No. 32,479 |
| Thomas R. Felger          | Reg. No. 28,842 |
| Charles S. Fish           | Reg. No. 35,870 |
| Wei Wei Jeang             | Reg. No. 33,305 |
| Kevin J. Meek             | Reg. No. 33,738 |
| Rodger L. Tate            | Reg. No. 27,399 |
| Scott F. Partridge        | Reg. No. 28,142 |
| James B. Arpin            | Reg. No. 33,470 |
| James Remenick            | Reg. No. 36,902 |
| Jay B. Johnson            | Reg. No. 38,193 |
| David G. Wille            | Reg. No. 38,363 |
| Anthony E. Peterman       | Reg. No. 38,270 |
| Barton E. Showalter       | Reg. No. 38,302 |
| Terry J. Stalford         | Reg. No. 39,522 |
| Bradley P. Williams       | Reg. No. 40,227 |
| Roger J. Fulghum          | Reg. No. 39,678 |
| Robert T. Holland         | Reg. No. 40,020 |
| Harold E. Meier           | Reg. No. 22,428 |
| Thomas R. Nesbitt, Jr.    | Reg. No. 22,075 |
| James J. Maune            | Reg. No. 26,946 |
| Samir A. Bhavsar          | Reg. No. 41,617 |
| Alexander B. Ching        | Reg. No. 41,669 |
| Stacy S. Cook             | Reg. No. 42,435 |
| Douglas M. Kubehl         | Reg. No. 41,915 |

all of the firm of Baker & Botts, L.L.P., my attorneys with full power of substitution and revocation, to prosecute this

application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

Send Correspondence To:

Terry J. Stalford  
Baker & Botts, L.L.P.  
2001 Ross Avenue  
Dallas, TX 75201-2980

Direct Telephone Calls To:

Terry J. Stalford  
at (214) 953-6477  
Attorney Docket No. 019143.0272

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of the first inventor

Michael C. Powers

Inventor's signature

Michael C. Powers

Date

9/18/88

Residence (City, County, State)

Irving, Dallas County, Texas

Citizenship

United States of America

Post Office Address

812 W. Royal Lane #342  
Irving, Texas 75039

Full name of the second inventor

Douglas A. Sudberry

Inventor's signature

Douglas A. Sudberry  
9/18/98

Date

Residence (City, County, State)

Grapevine, Tarrant County,  
Texas

Citizenship

United States of America

Post Office Address

3318 Summerfield Drive  
Grapevine, Texas 76051

Full name of the third inventor

James A. Eiler

Inventor's signature

James A. Eiler  
9/18/98

Date

Residence (City, County, State)

Irving, Dallas County, Texas

Citizenship

United States of America

Post Office Address

2508 Syracuse  
Irving, Texas 75062

Full name of the fourth inventor

Robert S. Bennett

Inventor's signature

Robert S. Bennett

Date

9/18/98

Residence (City, County, State)

Franklin, Williamson County,  
Tennessee

Citizenship

United States of America

Post Office Address

302 Cypress Court  
Franklin, Tennessee 37069

Full name of the fifth inventor

Clifford R. Phillips

Inventor's signature

Clifford Randall Phillips  
9-18-98

Date

Residence (City, County, State)

Bedford, Tarrant County, Texas

Citizenship

United States of America

Post Office Address

3200 Misty Court  
Bedford, Texas 76021